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Approved for use through 07/31/2006, OMB 0851-0031

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## **Docket Number (Optional)** TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTIN REJECTION OVER A PENDING SECOND APPLICATI N F-494 in re Application of: Wellam E. Ryan, et al. Application No.: 10/038,991 Filed: December 31, 2001 FOR SYSTEM FOR SANATIZING INCOMING MAIL The owner\*, <u>Piney Bowes Inc.</u>, of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/036.548 filed on December 31, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. in making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily discialmed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reaxamination certificate, is reliasued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney or agent of record. Robert E. Meyer, Reg. No. 26,307, Agent of Record Typed or printed name (203) 924-3848 Telephone Number Terminal disclaimer fee under 37 CFR 1.20(d) is included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. \*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including to process) an application. Confidentially its complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the 1860 file of 1860 f

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If you need assistance in completing the form, call 1-800-PTO-6199 and select option Z.

PAGE 4/15 \* RCVD AT 1/8/2005 2:40:11 PM (Castern Standard Time) \* SVR:USPTO-€PXRP-1/2 \* DMS:8729385 \* CSID:203 924 3919 \* DURATION (mm-4s):05-36

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